



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|----------------------|---------------------|------------------|
| 10/524,185 | 10/11/2005 | Kerry D Hinson | 1-17671 | 2663 |
| 68459 | 7590 | 07/16/2007 | | |
| MARSHALL & MELHORN, LLC | | | EXAMINER | |
| FOUR SEAGATE | | | ESHETE, ZELALEM | |
| 8TH FLOOR | | | | |
| TOLEDO, OH 43804 | | | ART UNIT | PAPER NUMBER |
| | | | 3748 | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 07/16/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/524,185

Applicant(s)

HINSON ET AL.

Examiner

Zelalem Eshete

Art Unit

3748

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

This Office action is in response to the amendment filed on 5/8/07 and RCE filed on 6/7/07.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 11, are rejected under 35 U.S.C. 102(e) as being anticipated by Platz (6,416,341).

Regarding claim 11: Platz discloses an electrical bridge system between an electrical source and an electrical device (see figure 1): a housing shaped to integrally comprise both an external electrical connector on an exterior of said housing (see numeral 3) and an internal electrical connector on an interior of said housing (see numeral 5), each connector integrally formed with one or more electrical leads integrally formed in and through the housing, said housing comprising a non-conductive material; and a base component; wherein, when said housing is mounted to said base

Art Unit: 3748

component (see abstract; figure 1), an enclosure is defined therein, said connectors and said leads forming an electrical bridge from an electrical source located outside said enclosure to an electrical device located inside said enclosure (see figure 1; numeral 7).

Regarding claim 2: Platz discloses a seal disposed between the base component and the housing (see figure 1; numeral 8).

Regarding claim 3: Platz discloses the housing is formed of one of a plastic and a rubber material (see abstract).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4,5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Platz in view of Mathew et al.

Regarding claims 4: Platz discloses the claimed invention as recited above; however, fails to disclose for use with a valve cover for an internal combustion engine vehicle.

Art Unit: 3748

However, Mathew teaches for use with a valve cover for an internal combustion engine vehicle (see abstract; title).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Platz by adapting the device for use in internal combustion as taught by Mathew in order to actuate electrical driven components located within the valve cover.

Regarding claim 5: Mathew discloses the base component comprises a cylinder head of the internal combustion engine (see numeral 28).

5. Claims 6-8,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Platz as modified above and further in view of Billimack et al. (6,371,073).

Regarding claim 6: Platz as modified above discloses the claimed invention as recited above; however, fails to disclose the cover comprises an oil pan.

However, Billimack teaches the cover comprises an oil pan, in that Billimack teaches the cover or oil pan cover upon the cylinder head (see column 4, lines 30 to 35).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Mathew as modified above by providing an oil pan as taught by Billimack in order to lubricate the moving parts in the cylinder head.

Regarding claim 10: Billimack discloses the base component comprises transmission in that the Billimack discloses a base component that is flywheel housing (18) or engine cylinder block (16) (see the figure).

Regarding claim 7: Mathew as modified above discloses the housing comprises a bottom "pan" flange (see labeled figure above).

Regarding claim 8: Mathew discloses a "premold" positioned along a periphery of the bottom pan flange (see numeral 12). As to the method of "premold", a product by process claim is rejected over a prior art product that appears to be identical, although produced by a different process, the burden is upon the applicants to come forward with evidence establishing an unobvious difference between the two. See *In re Marosi*, 218 USPQ 289 (Fed. Cir. 1983)

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Platz as modified above and further in view of Lee (5,863,424).

Platz as modified above discloses the claimed invention as recited above; however, fails to disclose a gasket disposed between the bottom pan flange and a fluid filter.

However, Lee teaches a gasket disposed between the bottom flange and a fluid filter (see figure 12).

Art Unit: 3748

It would have been obvious to one having an ordinary skill in the art at the time the invention was made to modify the system of Platsz as modified above by providing a gasket between the flange and filter as taught by Lee in order to seal the connection between the flange and the filter.

Response to Arguments

7. Applicant's arguments filed 5/8/07 have been fully considered but they are not persuasive.

8. With respect to applicant's argument on pages 5,6: Plats discloses an integrally formed internal electrical connector on an interior of said housing, in that the conductor tracks (5) are formed wholly with an interior of said housing to which electronic subassembly (7) is "*connected to*" (see figure 1).

9. With respect to applicant's argument on pages 6-15 is moot because of the newly formatted rejection in this Office action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zelalem Eshete whose telephone number is (571) 272-4860. The examiner can normally be reached on Monday to Thursday.

Art Unit: 3748

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Denion can be reached on (571) 272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Zelalem Eshete
Primary Examiner
Art Unit 3748

A handwritten signature in black ink, appearing to read 'Zelalem Eshete', is written over the printed name and title.